

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTEENTH DAY OF MAY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No. 11349 of 2005

Between:

- 1 Traigoppala Sri devi, W/o.Naga Malleswara Rao.
R/o.Mylavaram, Mylavaram Mandal, Krishna district.
- 2 Challa Sambasiva Rao, S/o.Venkata Subbaiah,
R/o.Mylavaram, Mylavaram Mandal, Krishna district.
- 3 Vemparala Kanaka Durgamma, W/o.Ramesh,
R/o.Mylavaram, Mylavaram Mandal, Krishna district.
- 4 Nimmakuri Vijaya lakshmi, W/o.Venkata Krishna rao,
R/o.Mylavaram, Mylavaram Mandal, Krishna district.
- 5 Challa Venkata Subbaiah, S/o.Veeraiah,
R/o.Mylavaram, Mylavaram Mandal, Krishna district.

..... PETITIONERS

AND

- 1 The Sub- Collector Cum Sub-Divisional Magistrate,

Vijayawada, Krishna district.

- 2 The Mandal Revenue Officer, Mylavaram,

Mylavaram Mandal, Krishna district.

- 3 The Mandal Revenue Inspector, Mylavaram,

Mylavaram Mandal, Krishna District.

- 4 Yarranguntla Jamalayya, S/o.Kotaiah,
R/o.Jangalapally Village, Mylavaram Mandal, Krishna District.
- 5 Bandaru China Adam, S/o.Nagaiah,
R/o.Jangalapally Village, Mylavaram Mandal, Krishna district.
- 6 Nimmakuri Peda Dasu, S/o.Purushottam,
R/o.Jangalapally Village, Mylavaram Mandal, Krishna district.
- 7 Dondapati Babu, S/o.Venkataramaiah,
R/o.Jangalapally Village, Mylavaram Mandal, Krishna district.
- 8 Nimmakuri Pullaiah, S/o.Laxmaiah,
R/o.Jangalapally Village, Mylavaram Mandal, Krishna district.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to May be pleased to issue an order or direction more particularly in the nature of writ of mandamus to direct the respondents not to dispossess the petitioners from the agricultural land extent Ac.5.02 cents each situated in Sy.No.186/3,186/4,190/1,190/2,190/3,190/4,191/1,191/2,191/4 of Mylavaram Village and Mandal, Krishna district pending disposal of the appeal Nos.224/2005 to 232/2005 on the file of the 1st respondent in the interest of justice.

Counsel for the Petitioner: MR.P.NAGENDRA REDDY

Counsel for the Respondent Nos.1 to 3: GP FOR REVENUE

The Court at the admission stage made the following:

ORDER:

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The writ petition is filed against the order of eviction made in R.C.A.No.80 of 2004, dated 22.01.2005, passed by the 2nd respondent.

Heard the learned counsel appearing for the petitioner and the learned Government Pleader for Revenue.

As against the order dated 22.01.2005 passed by the 2nd respondent, the petitioner preferred an appeal before the 1st respondent with an interlocutory application seeking stay of operation of the order impugned. The 1st respondent has not passed any orders on the appeal. Hence the writ petition.

Having regard to the facts and circumstances of the case, I deem it appropriate to dispose of the writ petition, with a direction to the 1st respondent to dispose of the appeal of the petitioner pending before him as expeditiously as possible. Till then there shall be stay of the operation of the order passed by the 2nd respondent in R.C.A.No.80 of 2004, dated 22.01.2005.

V.ESWARAIAH,J

Dated: 17.05.2005

Dsr

Note:

Issue Operation portion

by wire at party's costs.

B/o

Dsr

To:

1. The Sub-Collector-cum-
Sub-Divisional Magistrate,
Vijayawada, Krishna District

2. The Mandal Revenue Officer,
Mylavaram, Mylavaram Mandal,
Krishna District

3. The Mandal Revenue Inspector,
Mylavaram, Mylavaram Mandal,
Krishna District

4. Two CCs to the Government Pleader
for Revenue, High Court Buildings,
Hyderabad (OUT)

5. Two CD copies

*Form-NIC-OGS/WP{**TRR**}*